

PETER C. HARVEY  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law 5th Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

By: John D. Hugelmeyer  
Deputy Attorney General  
Tel. (973) 693-5056

**FILED**

JUL 14 2005

NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS

ORIGINAL

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE LICENSE OF

MATTHEW E. LISTER, D.C.  
License No. MC 2155

TO PRACTICE CHIROPRACTIC  
IN THE STATE OF NEW JERSEY

Administrative Action

ORDER OF SUMMARY  
SUSPENSION

To: Matthew E. Lister, D.C.  
6711 Sable Ridge Lane  
Naples, FL 34109

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of information revealing the following:

1. Respondent, Matthew E. Lister, D.C., is the holder of license No. MC 2155 and was licensed to practice chiropractic in the State of New Jersey until August 31, 2003, at which time Respondent's license lapsed.

2. On or about December 9, 2003, Respondent was ordered by the Superior Court of New Jersey, Law Division, Morris County, based on a repeated pattern of violations of the New Jersey Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq., in connection with his ownership of Universal Medical Imaging, Inc., to be jointly and severally liable with that corporation to Allstate Insurance

Company, Allstate Indemnity Company, Allstate New Jersey Insurance Company, Continental Insurance Company and Commercial Insurance Company of Newark, N.J., for the payment of trebled damages in the amount of \$1,463,153.49. In addition, Respondent was found by the court to have violated the referral and self-referral prohibitions of N.J.A.C. 13:35-6.17 and N.J.S.A. 45:9-22.5 for referring patients from Absolute Care, P.A. a/k/a "Paterson Absolute Care" and "Absolute Care DX"; Total Medical P.C.; Chiro Plus, Inc.; Valley Chiropractic Center, P.A.; and Medhab, Inc. d/b/a "Advanced Injury Care," entities of which Respondent was the true owner, to Universal Medical Imaging, Inc. and to MedX Marketing Services, Inc. d/b/a "HealthMed," in which he also had an ownership interest. The aforesaid findings of the court were made upon motion by the plaintiff insurance companies which was unopposed.

3. On June 23, 2004, final judgment by default was entered by the United States Bankruptcy Court, District of New Jersey, in favor of the aforesaid insurance companies and against Respondent in the amount of \$6,655,668.75 plus post-judgment interest and costs which amount was determined to be non-dischargeable pursuant to 11 U.S.C. § 523.

4. The above conduct may provide grounds for disciplinary action against Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A. 45:1-21(k), in that Respondent was found by the court in civil proceedings to have violated the New Jersey Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq.

5. The above conduct may provide grounds for disciplinary action against Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A. 45:1-21(h), in that Respondent was found by the court to have violated N.J.S.A. 45:9-22.5, and N.J.A.C. 13:44E-2.7, provisions of an act and a regulation administered by the Board.

6. Respondent's failure to submit his biennial renewal in 2003, resulting in a lapsed license status, provides grounds to automatically suspend Respondent's license to practice chiropractic in the State of New Jersey pursuant to N.J.S.A. 45:1-7.1(b).

ACCORDINGLY, IT IS on this 11<sup>th</sup> day of July, 2005,

ORDERED that:

1. Respondent's license to practice chiropractic in the State of New Jersey shall be, and hereby is, suspended by operation of N.J.S.A. 45:1-7.1, without hearing.

2. In the event that Respondent seeks reinstatement of a New Jersey license at any time in the future, this order shall require Respondent to show cause why, because of the conduct found by the court to have constituted violations of the New Jersey Fraud Prevention Act, N.J.S.A. 45:9-22.5, and N.J.A.C. 13:44E-2.7, as detailed herein, the application for reinstatement should not be refused, or issued subject to such restraints as the Board may deem appropriate.

NEW JERSEY STATE BOARD OF  
CHIROPRACTIC EXAMINERS

By

Joseph Lourd, D.C.  
Board President